

)	No.: 4:12-cv-01031-W-NKL
ROGER P. JACKSON, MD,)	
)	
Plaintiff,)	[Demand for Jury Trial]
)	
v.)	
)	
MIZUHO ORTHOPEDIC SYSTEMS, INC.,)	
)	
Defendant.)	
)	
)	

COME NOW, the parties by and through their respective counsel of record request the Court to modify its Scheduling and Jury Trial Order in this matter and extend the deadline for filing the parties' Joint Claim Construction Chart and Joint Prehearing Statement ("JCC") from May 24, 2013 to June 7, 2013. In support of this Motion, the parties state as follows:

1. The Court entered its Scheduling and Jury Trial Order (“Order”) on December 18, 2012. Dkt. No. 21. In Section C.2 of the Order, the Court adopted Sections B and C of the parties’ Joint Proposed Scheduling Order and Discovery Plan (“Plan”) (Dkt. No. 20), filed on November 28, 2012. Pursuant to Section C.11 of the Plan, the deadline for filing the parties’ JCC is May 24, 2013.

2. The parties have been working diligently to complete the JCC, and have come to consensus on the constructions for a number of claim terms upon which they initially disagreed. In the hopes of resolving additional claim construction disputes, the

parties wish to spend two additional weeks to complete their negotiations and finalize the JCC. Therefore, good cause exists for the requested extension.

4. The parties' opening claim construction briefs are not due until July 12, 2013. The requested extension of time for filing the JCC will not adversely impact this deadline, or any other remaining deadline in the Order.

WHEREFORE, Plaintiff Roger P. Jackson, MD and Defendant Mizuho Orthopedic Systems, Inc. respectfully request the Court to enter an Order modifying the Scheduling and Jury Trial Order to allow the parties until **June 7, 2013** to file their Joint Claim Construction Chart and Joint Prehearing Statement.

DATED: May 23, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 23, 2013, a copy of the above and foregoing document was electronically filed with the Clerk of the Court for the Western District of Missouri using the CM/ECF system which will generate and send a notice of electronic filing to the following counsel of record.

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